

DELTA PROTECTION COMMISSION

14215 RIVER ROAD
P.O. BOX 530
WALNUT GROVE, CA 95690
PHONE: (916) 776-2290
FAX: (916) 776-2293



September 15, 1995

To: Delta Protection Commission
From: Margit Aramburu, Executive Director
Subject: Proposed Actions In Support of Delta Levees
(For Commission Consideration and Possible Adoption)

At its August 24, 1995 meeting, the Levee Subcommittee addressed several issues associated with:

1. Full restitution of emergency levee repair claims from 1982, 1983, and 1986.
2. Support of a funding program to provide long-term levee maintenance in the Delta.
3. Support of U.S. Army Corps of Engineers planning programs.
4. Support of U.S. Army Corps of Engineers study of use of imported dredged material for levee maintenance.

Draft letters and a draft resolution are attached for Commission review and possible adoption.

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DRAFT



September 15, 1995

Richard Andrews, Director
Governor's Office of Emergency Services
P.O. Box 239013
Sacramento, CA 95823-9013

Subject: Support of Full Payment of Claims by Reclamation
Districts for Damages Received in Flood Emergencies

Dear Mr. Andrews:

The Delta Protection Commission is a state agency with regional land use planning authority of the Primary Zone of the Legal Delta. The Commission is made up of a unique mix of State and local government representatives, and reclamation district representatives.

One of the key charges of the Commission is to "improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety". The Commission believes that financially healthy reclamation districts are in a much stronger position to carry out needed and important on-going levee maintenance.

In the floods of 1982, 1983, and 1986, several Reclamation Districts received significant damage to levees. That damage threatened life and property on the islands, as well as habitat values on the levees and the islands. Through programs made available to the Districts in emergencies, the Districts expended millions of dollars to make repairs to damaged levees.

Upon completion of the repairs, the Districts submitted claims for payment to the State Office of Emergency Services (OES). While some of the Districts have recently been paid for their claims, most of the District claims have not yet been paid. This delay in paying the claims leaves the Districts open to additional costs of interest, and weakens the overall economic health of the Delta. In addition, OES has arbitrarily determined that 10 percent of each claim should be withheld from the Districts.

Mr. Richard Andrews
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To support the overall economic health of the Delta and to support the crucial on-going maintenance of Delta levees to avoid future emergencies, such as those experienced in 1982, 1983 and 1986, the Delta Protection Commission urges prompt payment of all outstanding claims for cost incurred in repairing levees in this past flood events. In addition, the Commission strongly urges these claims be paid in full, or if deductions be made, those deductions be related to specific issues and not a general deduction such as the 10 percent reduction currently being considered.

The Commission supports and salutes OES's on-going commitment to the people and resources of the State of California and hopes that these actions will ensure that the Delta will be better prepared in the future to withstand future emergencies.

Sincerely,

Patrick McCarty
Chairman

cc: Delta Protection Commission

DRAFT

9/15/95

RESOLUTION 95-

Delta Protection Commission Support of Long Term Funding of Delta Levee Maintenance

WHEREAS, the Delta levees were built over a many year period in the later 1800's and early 1900's to reclaim lands for agricultural use; and

WHEREAS, the cost of building and maintaining Delta levees has largely been carried by the landowners through Reclamation Districts created by the State of California for this purpose; and

WHEREAS, the State has participated in funding programs to assist in defraying the costs of levee maintenance since 1973, when a program was authorized under the Way Bill, to provide up to 50% of the costs of levee maintenance for eight to ten Reclamation Districts each year; and

WHEREAS, the State continued to participate through the Delta Flood Protection Act, SB 34, authorized in 1988 for a ten year period, providing a 75%-25% match, after the first \$1,000 per mile of levee costs, and

WHEREAS, the State has funded the Delta Flood Protection Act for up to 12 million dollars a year, depending upon availability of State funds; and

WHEREAS, the Delta levees protect human life, provide flood protection, protect historic structures and communities, protect riparian and upland habitat, promote interstate and interstate commerce, protect water quality in the State and federal water projects, and protect recreational use of the Delta; and

WHEREAS, the Delta levee systems are in need of restoration, improvements and continuing management;

THEREFORE BE IT RESOLVED, the Delta Protection Commission supports continuation of funding programs for the existing, historic, Delta levees in partnership with the Reclamation Districts for overall benefit of the Delta and the State of California; and

BE IT FURTHER RESOLVED, the Delta Protection Commission supports identification of the value of Delta levees to various parties and interests that benefit from the levees including local residents, regional visitors, statewide water, recreational, shipping local infrastructure and environmental interests to assist in developing a strategy for developing funds for long-term levee maintenance.

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September 15, 1995

Colonel John N. Reese
U.S. Army Corps of Engineers
1325 J Street, Executive Office
Sacramento, CA 95814-2922

Subject: Support for U.S. Army Corps of Engineers Planning
Programs

Dear Colonel Reese:

The Delta Protection Commission is a State agency charged with preparing and adopting a regional land use and resource management plan for the Primary Zone of the Delta. As a regional planning agency, the Commission recognizes the need for continued planning in the Primary Zone by other responsible State and federal agencies.

On September 24, 1995, Lynn O'Leary of your planning staff briefed the Levee Subcommittee of the Commission on the on-going planning projects of the Sacramento Corps staff.

Based on that briefing, the Commission urges the Corps to continue its planning programs to carry out programs that support agriculture, wildlife habitat, and recreation in the Delta. Basic to all these land uses in the maintenance of the existing Delta levees.

On behalf of the Commission, I thank the Corps for its continued participation in Delta programs and urge continued dedication of Corps staff resources and funds toward such programs.

Please feel free to contact me, or the Commission's Executive Director, Margit Aramburu, to receive any information about the Commission.

Sincerely,

Patrick McCarty
Chairman

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DRAFT



September 15, 1995

Colonel John N. Reese
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922

Subject: Support for Continued Consideration of Dredged
Materials for Delta Levee Maintenance

Dear Colonel Reese:

The Delta Protection Commission has adopted its Land Use and Resource Management Plan for the Primary Zone of the Delta. One of the key underlying components of the Delta Protection Act and the Commission's adopted Plan, is the need to continue maintenance of the existing Delta levees.

Obviously one of the key elements of levee maintenance is accessible, cost-effective sources of material for levee maintenance. The Delta levees were built and traditionally maintained from materials dredged from the adjacent wetland areas; the edges of the historic islands. Recently dredging has been severely restricted due to environmental concerns.

The Corps and the Delta Protection Commission have been monitoring proposals generated by State and federal agencies in the San Francisco Bay Area to use dredged materials generated in the Bay Area for levee maintenance in the Delta. These studies are continuing and should continue to ensure that the characteristics of the dredged material are compatible with the existing agricultural and habitat uses in the Primary Zone of the Delta. In addition, successful pilot programs have been conducted using dredged material to improve levees. These programs included comprehensive testing and monitoring of materials to assure water quality protection.

In summary, the Delta Protection Commission urges continued study of dredged materials for levee maintenance, both local and imported, to allow continued timely and cost-effective levee maintenance.

DRAFT

Colonel John N. Reese
September 13, 1995
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Please feel free to contact me or the Commission's Executive Director, Margit Aramburu to discuss any issues concerning the Commission and its Plan and adopted policies.

Sincerely,

Patrick McCarty
Chairman